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**ORIGINAL**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL NORWOOD,

Plaintiff,

Civil No. 1:CV-01-1005

v.

(Smyser, U.S.M.J.)

DONALD ROMINE,

Defendant.

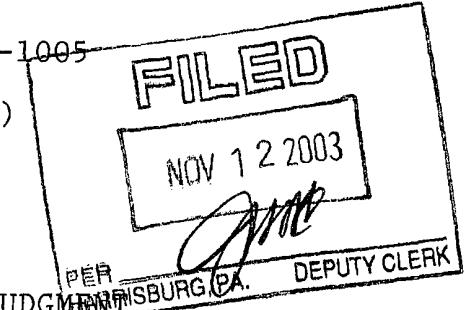
MOTION FOR LEAVE TO AMEND MOTION FOR JUDGMENT  
 NOTWITHSTANDING VERDICT, OR FOR A NEW TRIAL BY  
 STRIKING ANY REFERENCE TO RELIEF FROM JUDGMENT  
NOTWITHSTANDING VERDICT

The plaintiff, Michael Norwood, pro se, respectfully moves this Court for leave to amend his previously filed Motion for Judgment Notwithstanding Verdict Pursuant to Fed.R.Civ.P. 50(a) or For a New Trial Under Fed.R.Civ.P. 59(a), by striking any reference to relief from judgment notwithstanding verdict under Rule 50(a). The reason for this motion is that the Court cannot grant the plaintiff relief under Rule 50(a) because he did not make a motion for judgment as a matter of law at the end of all the evidence in this case. See Fineman v. Armstrong World Industries, Inc. 980 F2d. 171, 183 (3d. Cir. 1992). Accordingly, the plaintiff seeks only a new trial under Rule 59(a) on the grounds that the verdict was against the weight of evidence.

Respectfully submitted,

  
 MICHAEL NORWOOD, Pro Se

Dated: November 9, 2003



## CERTIFICATE OF SERVICE

I, MICHAEL NORWOOD, hereby certify that I have served a true and correct copy of the foregoing:

MOTION FOR LEAVE TO AMEND MOTION FOR JUDGMENT  
NOTWITHSTANDING VERDICT, OR FOR A NEW TRIAL BY  
STRIKING ANY REFERENCE TO RELIEF FROM JUDGMENT  
NOTWITHSTANDING VERDICT

Which is deemed filed at the time it was delivered to prison authorities for forwarding to the court, Houston vs. Lack, 101 L.Ed.2d 245 (1988), upon the court and parties to litigation and/or his/her attorney(s) of record, by placing same in a sealed, postage prepaid envelope addressed to:

Joseph Terz  
Assistant U.S. Attorney  
228 Walnut Street, Suite 220  
Harrisburg, PA 17108

and deposited same in the United States Postal Mail at the United States Penitentiary,

Signed on this 9th day of November, 2003

Respectfully Submitted,

  
MICHAEL NORWOOD

REG. NO. 06970-014



Inmate Name: Mr. Michael Norwood  
Register Number: 06970-014

United States Penitentiary  
P.O. Box 1000  
Lewisburg, PA 17837

CLERK  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA  
228 WALNUT STREET  
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